

State of South Dakota

SEVENTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2004

912J0502

SENATE BILL NO. 75

Introduced by: Senators Duenwald, Dennert, Diedrich (Larry), Duxbury, Greenfield, Kelly, Kooistra, Nachtigal, Olson (Ed), Sutton (Dan), and Sutton (Duane) and Representatives Schafer, Begalka, Hargens, Hennies, Peterson (Jim), Rounds, Sigdestad, Thompson, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to authorize the payment of certain school district
2 transportation expenses from the capital outlay fund.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-16-6 be amended to read as follows:

5 13-16-6. The capital outlay fund of ~~the~~ a school district is a fund provided by law to meet
6 expenditures which result in or from the acquisition or lease of₂ or additions to₂ real property,
7 plant, or equipment. Such an expenditure shall be for land, existing facilities, improvement of
8 grounds, construction of facilities, additions to facilities, remodeling of facilities, or for the
9 purchase or lease of equipment. It may also be used for installment or lease-purchase payments
10 for the purchase of real property, plant, or equipment, which have a contracted terminal date not
11 exceeding twenty years from the date of the installment contract or lease-purchase and for the
12 payment of the principal of and interest on capital outlay certificates issued pursuant to
13 § 13-16-6.2.

14 Any purchase of one thousand dollars or less may be paid out of the general fund. The total



1 accumulated unpaid principal balances of such installment contracts and lease-purchase and the
2 outstanding principal amounts of such capital outlay certificates may not exceed three percent
3 of the taxable valuation. The school district shall provide a sufficient levy each year under the
4 provisions of § 13-16-7 to meet the annual installment contract, lease-purchase, and capital
5 outlay certificate payments, including interest.

6 ~~A school district which contracts its student transportation may expend from the capital~~
7 ~~outlay fund an amount not to exceed fifteen percent of the contract amount. The capital outlay~~
8 ~~fund may be used to pay the cost of the purchase or lease of transportation equipment, supplies,~~
9 ~~and services and any other transportation costs incurred by the school district.~~

10 The capital outlay fund may be used to purchase textbooks and instructional software.

11 The capital outlay fund may be used to purchase warranties on capital assets if the
12 warranties do not include supplies.